

POCKET EDITION

OF

THE CONSTITUTION OF THE
UNITED STATES

WITH AN INTRODUCTION

BY

MERRILL E. GATES, LL.D., L.H.D.,
Formerly President of Rutgers College, later
President of Amherst College

PUBLISHED BY

THE NATIONAL ASSOCIATION FOR
CONSTITUTIONAL GOVERNMENT

WASHINGTON, D. C.

U.S. Constitution

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INTRODUCTION

Every one who values his property can give some account of his own possessions. You know what you own. You mean to keep clear your title to it. Every true American values his own personal rights and his political freedom even more highly than he values his property. Our forefathers, 130 years ago, made an instrument designed to protect their rights and ours. "To establish justice," and maintain fair treatment and an equal opportunity for all; "to promote the general welfare and secure the blessings of liberty to ourselves and our posterity," is our wish, our national will, our steadfast purpose as true Americans, now, as it was four generations ago when great Americans founded our government.

THE TITLE-DEED OF FREEDOM

The Constitution of the United States is the *working-man's charter to protect his personal liberty*. It is the title-deed by which each one of us holds his personal freedom, his property, and his right to home and to the family life which is dear to us all. If you own your home, if you have a title to a piece of land and a house, you take care of your title-deed. You know well what the title is worth to you, and you value it. Once in a while you read it over. You take care not to lose it! We have, each one of us Americans, a title-deed to a share in the blessings of the best government in the world. And the great fundamental law of that government, the Constitution of the United States, every citizen of the United States ought to know. Every citizen ought to have a copy of it within reach. Have you ever studied your title-deed to all the rights of an American, —the Constitution? How long since you read it through?

In these months, when so many millions of people are suffering and dying for lack of a stable government of just laws, well administered, you ought to refresh your memory by reading again, and again giving thanks for those guar-

antees of justice, personal freedom and equal rights which are given you in that fundamental law of our land, "The Constitution." All the people should know it and defend it, for it was made and it is maintained by our "sovereign power, the people of the United States;" and you are one of these people.

STABILITY AND GROWTH

If a person has lived in good health for a hundred years, we say, "he has a good constitution." The Constitution of the United States has been in successful operation now for more than a hundred and thirty years. Ours is the oldest republic among the great self-governing states of the world. Under our Constitution we have grown, from a little experimental republic of four millions, to be a world-power of a hundred and ten millions. The great Americans who planned our government were wise and far-seeing, and they gave us a foundation-law which has the surest promise of continued life, a constitution founded on principles of justice that are stable and unchanging, like the solid earth under our feet; yet a constitution which within itself provides for change and growth to meet the needs of expanding life. It can be amended. It has been amended, whenever the people of the United States became deliberately convinced that a change was needed. Yet our Constitution, like other living and growing things, changes not by a stroke—not by a revolution or a threat—but by the deliberate growth of a conviction on the part of the great mass of the people, a conviction which expresses itself in the methods provided for by the Constitution itself, so that successive amendments as required by the people may always insure to us a government "deriving its just powers from the consent of the governed."

It is this great basal law of our land, it is the Constitution, that secures to every working-man the wages he earns, the savings he has made and invested, the home and the property he has acquired and owns. That "fair opportunity for every one," that "equality before the law," which is our American boast and birthright, is secured to us by the Constitution.

THE "STATE" AND "GOVERNMENT"

To enforce and maintain justice, there must be a government, based on law, and obeying law. Every state must have a government.

The word "state" means something stable, something that stands, endures. The state is "society organized to maintain justice." It is society stabilized—kept steady—established—not whirling in socialistic anarchy, like Russia in 1918-19—not overturned in ceaseless revolutions, even if revolutionists do profess to aim at liberty. An established government must have definite organs provided for in its fundamental law—offices, and officers through whom the state acts in governing—in maintaining order and administering justice. Order and justice must be maintained not at one man's caprice, or by one man's will, but by uniform laws applicable to all. Whatever name may be given to a state, its government must have definite organs for each of the three great branches of the state's activity: the Legislative (to make the laws), the Executive (to execute and administer the laws), and the Judiciary (courts and judges to interpret and apply the laws and the principles of justice to the particular cases that arise). Emperors and Kings who claim absolute sovereign power and authority for their own arbitrary will, the world has done with! But every independent state must have sovereign power and exclusive authority over a definite territory—a distinctly bounded portion of the earth's surface. And every state that endures long enough to have a name and a place among the states of the world, must have a definite form of government in which these three essential functions of government are fixed, and their form and their functions defined, in a constitution, written or unwritten.

THE FUNDAMENTAL LAW OF THE STATE

Our Constitution is the great, basal, fundamental law of the State, which defines the objects of good government, and fixes the form and defines the powers of the organs of government. At the same time, it secures to the indi-

vidual his rights as against any attempted aggression by the government. All the officers of our government, from the highest to the lowest, must swear allegiance to the Constitution; and they all depend upon the Constitution for their authority. All their powers are derived from the Constitution. In all the self-governing nations of the world, the *fundamental law, the constitution, derives its authority and its power from the people*. Other laws are made by the legislative bodies which have been created for that purpose by the Constitution. But the Constitution itself is the work and the sovereign will of the people. "We, the people of the United States"—(and not the several states or their legislatures)—"we, the people of the" whole "United States * * * do ordain and establish this Constitution for the United States of America," said our people when they founded our Government. And all the changes that have been made in our fundamental Organic Law by the eighteen amendments adopted since 1789, have been made by the sovereign people of the United States. Always our government has rested upon the will of the people as expressed in our Constitution.

GOVERNMENT BY AND FOR THE PEOPLE

It is not too much to say that the whole civilized world has now adopted as the basis of government the sentences from the Declaration of Independence which in 1776 preceded our Constitution. All progressive nations now hold that "instituted among men to secure certain inalienable rights" such as "life, liberty and the pursuit of happiness"—"governments derive their just powers from the consent of the governed."

Why do we in the United States not live in constant fear of revolution? Because our government, our Constitution, expresses the will of the people, is the work of the people, and can be amended as the deliberate and intelligent convictions of the people call for changes and enact amendments. Why should our people fear revolution, when with us the majority rules, and rules under the authority of a Constitution which more than a mere majority of the people

have made and approved, and can amend? Why should our people ever desire a revolution, while our Constitution provides for a peaceful and orderly method for correcting abuses of power or infringements of rights? We have, already, the liberty which oppressed peoples rebel in order to attain. We have that "government by the people" in accordance with laws of their own making through their chosen representatives, which expresses the just will of a self-determining people.

The Constitution is the foundation of our Government. As the foundation of a house, or of any large building, is so laid out as to bear the weight and sustain the strain of the building which it underlies and upholds, the foundation is a kind of ground-plan or outline of the superstructure. Just so, the constitution of a state is the enduring, not easily changed foundation-law which gives shape and stability to the state, and defines and limits the form, the function and the powers of each of the organs of that state. The state is always "society jurally organized,"—"society organized to maintain justice."

DEMOCRACY BUILT UPON JUSTICE

What is justice? Who can give a better definition than the one given by the Roman Law in Ulpian's words: "*Constans et perpetua voluntas jus suum cuique tribuendi*," that is, "the steadfast, unchanging will and purpose to give to every one his due." It gives confidence, to feel that for two thousand years the leaders of civilization, from the men of Athens and Rome to the founders of our Constitution and the men in khaki of our own time, who have been ready to give their lives to defend this idea of justice—that through all these centuries, the leaders of the world's civilization have held steadily to this idea of justice, which has been once more gloriously vindicated by the war just closing. Our Constitution makes it possible for us in the United States to say and to feel: "Here in America every man has a fair chance, and knows that he has it." And that is true, free democracy. That means justice and freedom for all. That spirit, worked out in law and maintained

in administration, is the essence of the true democracy which it is safe for the world to profess and to practice.

To preserve liberty, there must be voluntary and intelligent obedience to law. To insure the administration of justice by a state, there must always be a fundamental law, a constitution that defines and stabilizes government. For the peoples of those lands which are fragments of the broken empires of Austria and Turkey—for the Balkan States and the newly created republics in Europe, as well as for distracted Russia,—a constitution wisely framed and heartily accepted by the people of each state, is still the great need.

CONSTITUTIONS AND THE WILL OF THE MAJORITY

In the eighteenth and nineteenth centuries, the peoples of Europe were demanding constitutions to protect them against the exactions and injustice of kings and emperors. Now, *constitutions are needed* and are demanded in many parts of Europe and Asia, not so much to limit kings and emperors, as *to make sure that when the people rule themselves, they shall rule in justice and without tyrannical abuse of power by the majority*. In democracies and republics, no less than in monarchies, personal rights and property rights need to be recognized and the organs and methods of government need to be defined in the fundamental law, in constitutions; and these rights of all the people need to be respected and maintained in administrative government. No state, whether monarchy, empire, democracy or republic, can exist and hold a place among the nations of the earth, without the accepted reign of law. No free state can exist without the voluntary acceptance by the people of self-imposed obedience to law—to moral law and to enacted law. Lawlessness is not liberty! Anarchy is not freedom! No freedom is possible except under the reign of law. "A fundamental law forbidding class, sectional and inspirational legislation, is the indispensable guarantee of personal liberty, and the necessary basis of true social justice." The most abject and terrible slavery the world has ever known has been the tyranny of lawless

majorities in the exercise of unlimited power. Witness the "reign of terror" during the French Revolution, and the tyrannical class "autocracy of the proletariat" dominated by the bolshevist socialists, Lenine and Trotzky! With us in the United States, "the majority rules," we say truly. But the majority has no more right to rule unjustly, than has an autocratic monarchy. *The majority has a right to do what it pleases only when it pleases to do what is right!* A mere majority vote cannot make injustice just! It cannot make a wrong deed right! And the Constitution protects you in your rights when you are in the minority—even when you are a minority of one!

OUR COVENANTED RIGHTS

Read carefully the first ten Amendments to the Constitution,—often called our "Bill of Rights"—which were declared in force on Dec. 15, 1791. See how carefully they *guarantee to you and to every other citizen* of the United States, *precisely those personal rights*, that *protection by law*, which is lacking in Russia, and which makes life worth living where good government prevails. The Constitution is your safeguard. In Russia, for lack of a constitution, accepted and obeyed, soviet rule permits houses to be entered, ransacked and gutted, under pretence of authorized right of search (see Art. IV, Amendments to the Constitution, p. 38); men and women to be arrested, imprisoned indefinitely, or executed without trial (see Amendments, Arts. V, VI, VII and VIII, pp. 38, 39); no property rights are respected; crops cannot be raised; factories are taken from their owners under the pretence of using them for the common profit, but are ruined and cease to operate.

The existence of free governments, with those "covenanted securities" which they afford to liberty, is no happy accident. No one object which men have proposed to themselves has called for such long-continued, strenuous, yet ennobling and beneficent effort as has the establishment of liberty in institutions and laws, such as protect us under our Constitution. Let not us who are "to the manner born," undervalue our birthright. Too seldom do we recall

the cost to earlier generations of the contests which have made possible such a government as ours. We forget the long-continued, life-consuming struggle by which there has been won and established for us that constitutional liberty which is the proudest heirloom of the English-speaking race.

BATTLE-MONUMENTS IN LEGAL TERMS.

The noblest battle-monuments in the world are to be seen in certain of the customs and the legal terms in which are fossilized the history of centuries of soul-animating struggles for the establishment and the defence of human rights by law and in political institutions.

"Trial by a jury of one's peers." What an enormous advance in the conception of the worth of the average man it chronicles! What obstinate and determined struggles to keep this the law of the land, so that not the weight of the sword or of the long purse, not the will of the privileged nobles, or the subtle policy of a worldly church with its far-reaching temporal ambitions, should be allowed to decide the question of the guilt of the accused private citizen; but the facts should be found by the sound sense of twelve common men, his "peers," when they had heard the evidence, and the laws and customs of the land should then be fairly applied in every case. No wonder that a brilliant Englishman has declared that "the great end of the English Constitution is to get twelve honest men into a (jury) box!"

Or that safeguard of personal rights so dear to countless generations of our ancestors, which finds expression in the phrase, *"my house is my castle!"* Remember how that principle was wrought into law and life, and kept there through ages in which flourished plundering baron-robbers and lawless soldiers! What countless unchronicled deeds of heroism on the part of obscure and forgotten ancestors of ours, who lost all, and dared death, rather than surrender this right!—a right so precious to them and to us.

Recall the horrors of arbitrary arrest, when by *"lettres de cachet"* citizens were apprehended without pretense of trial, and mysteriously disappeared into the living sepulchres of

the Bastille;—and then recall with pride and joy the long contest which preceded in England, and has always accompanied, that simple legal form, the protection of the unjustly imprisoned, in which the judge says to the officer of the law, “Do thou have his body before me, to show cause in court why he should be detained as a prisoner.” Where is there a nobler battle-monument to victory won for personal liberty, than in the Latin phrase so heedlessly on our lips, the right of “*habeas corpus*?”

Generations of self-denying and public-spirited effort on the part of our ancestors have made possible for us the free, secure life we live, under a government whose fundamental law so fully “establishes justice, ensures domestic tranquillity, and promotes the general welfare.”

These guarantied rights of citizenship the American citizen by virtue of our Constitution, carries with him, wherever he may go, by land or sea. The exercise of absolute religious freedom in the choice of his form of worship; and the assured right of citizens to assemble peacefully and to petition the law-making branch of our government for such new laws, or such modifications of existing laws, as may seem desirable and needful, the Constitution guaranties to all.

THE RULES OF THE GAME

Why does not the “rule of the majority” in the United States lead to the anarchistic violation of all rights? Because we have, and we obey, a Constitution in which the people have fixed by a great fundamental law just limitations upon the power of those who make, enforce and administer the laws. Because we are an organized state—a government where the “rules of the game” are fixed in advance, and are obeyed. The business and the great joyous game of living justly, kindly and helpfully along with other human beings, we carry on under clearly defined and universally accepted “rules of the game”—under our Constitution. Every great organic enterprise which men together undertake must have its constitution, its charter. And so

must the greatest, most important business, the most engrossing and intensely interesting occupation the world knows anything about—the business of good government. To learn, and to practice well the art of being a good American citizen, one must know and must care for the Constitution—the “rules of the game”—the charter of our rights—the incorporating act of our business as a Nation.

The worst enemies of our American system here in our own land are found among those who know nothing of our Constitution as a practical force in life. They are utterly ignorant of the spirit of our institutions. The firm maintenance of law and order, they think of as tyranny. Red anarchists who have lived under European tyrannies and have learned to hate absolutism in an unjust autocracy—come into our life utterly blind and deaf to the justice and the vital importance of self-government. *They knew nothing of obedience to law, voluntarily rendered, because the laws are made by the people who obey them.*

ALLEGIANCE TO LAW, OR FREEDOM IS LOST

It is only through the prevalence of the spirit of allegiance to law, that a free government like our own can continue to exist. In 1831, that brilliant young Frenchman, de Tocqueville, after two years of residence among us to study our life and the spirit of our institutions, wrote thus of what he saw: “However irksome an enactment may be, the citizen of the United States complies with it, not only because it is the work of the majority, but because it is *his own*, and he regards it as a contract to which he is himself a party.” This spirit is the very essence of self-governing representative government. Obey the laws you have yourselves made! Change the laws, by the methods you have yourselves prescribed, if you believe they should be altered. But obey them while they continue to be the law of the land. This feeling of allegiance to law because it is a just law which we the people have ourselves made, is a spirit utterly unknown to the anarchists who come to the United States from foreign tyrannies. In some way, their spirit of hatred for law and order must be overcome by

our spirit of willing allegiance to laws we have made, or "government deriving its just powers from the consent of the governed" will cease to have a meaning! Yes, it will cease to exist! Could a friendly observer write of us now, as de Tocqueville wrote then: "In the United States the numerous and turbulent multitude does not exist, who, regarding the law as their natural enemy look upon it with fear and distrust?" Unless the true American spirit of willing allegiance to laws we ourselves make, can be kept strong enough to penetrate and pervade the mind and life of the multitudes who have come to us from Europe and Asia, ought we not to guard our gates and check the influx of others until we have more thoroughly assimilated the mass of those who have already come?

Those anarchists and red socialists who have lived in states where tyrants made and enforced unjust laws and in governing disregarded all rights of the individual, have come to feel that anyone who loves liberty and stands for his rights, must be and should be "*against* the government." So they are "against law"—against government—in favor of red "internationalism." They are opposed to all true love of one's own country, one's own people, and one's own government. They have never experienced the good results of self-government through the people's chosen representatives, under a constitution which the people themselves have made, to render stable their own chosen form of government. Such anarchists and "red-flag socialists"—manifestly hostile to all that we hold sacred in government, should be sent back out of our country. To all our principles they are actively hostile. There is no place for them here in America.

FREEDOM OF SPEECH AND PRESS

The Constitution rightly provides protection for "freedom of speech and of the press." This is a right vital to the existence of an intelligent, self-governing people. We do well to guard it jealously.

But there never was a right to "freedom of speech," or of printing, which justified persons in uttering or printing

"anything which they might wish to say." No one ever had a "right" to utter lies, to disseminate false reports, or to claim the protection of law and of the government while saying or printing that which advocates, defends, or directly tends to incite opposition to the reign of law and favors warfare upon established government! Nothing in history is more utterly unreasonable than is the position of the men and women who advocate violence and the destruction of all government, and yet claim that because "speech is free," the very government they are trying to destroy is under obligation to "protect" them, in their efforts by speech and publication to destroy it! They are as unreasonable in their claim as would be an assassin who was trying to kill a policeman, should he demand of the other policemen who came running to the support of law and government, that they defend the assassin in his "rights" until he had entirely murdered the officer of the law, whom he was trying to kill! Always the right to "freedom of speech" is *limited by the truth, and by due regard for facts as they are.* And no citizen and no body of citizens, no newspaper and no "correspondent," ever had a right to claim the protection of a government in the manifest attempt by him to destroy all government in general, and the government that protected him in particular. Not by mob violence should such violations of others' rights by unlicensed and untruthful speech be punished. But by due process of law it should be prevented or duly punished. There was never a "right to lie." And no government was ever bound to aid, favor, and protect in their utterance of falsehoods, those who were trying to destroy the power whose protection they invoked.

The hundreds of thousands of immigrants who have come to be dwellers in our country and under our government we must plan to make familiar with the principles of our Constitution. Get copies of it into their hands and start sympathetic study of its provisions, its methods, and its spirit of justice and universal brotherhood, in society governed by laws which the people make and *the people mean to obey, and mean to see obeyed by all who live under the protection of our laws!*

WHY THE CONSTITUTION WAS ORDAINED

After a struggle for independence, the hardest part of the battle for national life and a workable constitution often comes after the victory by arms has been won. With us, after we had won from England by force of arms the Independence for which we made our Declaration to the world in 1776, there followed seven years after the peace of 1783 which were fraught with dangers to our young Republic even more threatening than the risks of the seven years of war which preceded them. The thirteen independent Colonies, each conscious of its own peculiar and characteristic history and institutions and inclined to be jealous of its neighbors, had won the war by co-operation under the vague authority of the Continental Congress and the Articles of Confederation. The powers of the Confederate Government thus formed were entirely inadequate to the task of setting up and maintaining a Union which could successfully govern a continent, and hold together millions of people in a state which should command the respect of the world. On February 25, 1787, James Madison wrote: "Our situation is becoming every day more and more critical. No money comes into the federal treasury; no respect is paid to the federal authority; and people of reflection unanimously agree that the existing Confederacy is tottering to its foundation." On April 8th he wrote: "I hold it for a fundamental point, that an individual independence of the states is utterly irreconcilable with the idea of an aggregate sovereignty." "Let it be tried, then, whether any middle ground can be taken, which will at once support a due supremacy of the national authority, and leave in force the local authorities so far as they can be subordinately useful."

In opening the main business in the Constitutional Convention called to form a more perfect union, and assembled in 1787, four years after peace was declared, Edmund Randolph proceeded to enumerate the defects of the old Confederation. (See the "Debates" in the "Madison Papers.")

He said: "The Confederation produced no security against foreign invasion, Congress not being permitted to

prevent war, nor to support it by its own authority." "Congress could not cause infraction of treaties, nor of the law of nations, to be punished; particular states might, by their conduct, provoke war without control." "The Federal government could not check the quarrels between states, nor a rebellion, in any, not having constitutional power or means to interpose, according to the exigency." The Federal government could not defend itself against encroachments from the states. "It was not even paramount to the state constitutions, ratified as it was in many of the states."

"WE, THE PEOPLE OF THE UNITED STATES"

This last criticism of Mr. Randolph's illustrates the conviction which prevailed generally in the Convention, that the Union, to be permanent and powerful, must *rest upon the authority of the people of the United States regarded as one nation*, and not upon any authority which the individual states, through their state legislatures, and by virtue of their state constitutions, might attempt to bestow upon it. Mr. Madison expressed the common conviction in these words: "To give the new system its proper energy, it will be desirable to have it *ratified by the authority of the people*, and not merely by that of the legislatures."

Let us always bear in mind the fact that the *Government of the United States is a National Government*, and rests upon a Constitution which *derives its authority from the people of the United States*, and not from the governments of the thirteen Colonies which rebelled against England, and at first claimed recognition and authority as thirteen independent sovereign states. For a few years, these thirteen independent sovereignties were acting merely as a Confederation. But the people, under our system the ultimate sovereign power of the United States, through the work of the Convention to frame a Constitution, and the ratification of that Constitution by the people, distinctly declared, "We, the people of the United States, * * * do ordain and establish this Constitution for the United States of America."

THE NATION AND THE STATES

After 1789, when the government of the United States was set up under the Constitution, the several states of the Union were no longer "independent and sovereign states." The state governments are the recognized means and instrumentalities which the people of the United States have chosen to recognize and to continue in existence, that these state governments may exercise authority in the ways and along the lines which the people of the United States have chosen to leave to the state governments. This leaves to the states only a strictly limited sovereignty, in matters local, within a sphere specifically assigned to state governments by the sovereign people of the United States. Since 1865, the manifest intention of the founders of the Constitution has been fully recognized as the true American faith and doctrine, namely, that the United States is one nation, and that the people of the United States, acting through their fundamental law, the Constitution, are the sovereign power of the United States.

Article VI, Sec. 2, of the Constitution, provides that "this Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding."

Doubly to insure this supreme authority of the Federal Constitution and the Federal laws, it is provided in a following section (Art. VI, Sec. 3) that "The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound, by oath or affirmation, to support this Constitution."

READ, MARK, AND LEARN

Our Constitution is the very heart and life of the nation we love. Other nations the world over have copied it. Evidently, our fathers expected the people of the United States to be familiar with the Constitution in all its essential provisions. Yet there have been thousands of officeholders, under the Federal government and the forty-eight state governments of the Union, who have sworn to support the Constitution, yet have never once read it through! In an average audience of a thousand Americans, how many will you find who have a copy of the Constitution within reach? How many who have "never read it?" Every good American ought to have a copy of it for his own use, easily accessible for reference.

When foreigners wish to become American citizens, the judge who examines them for their naturalization papers is required to have good evidence that the applicant is "attached to the principles of our government." How many of the principles of our government could you state clearly?

There is a great revival of interest in the Constitution, in these last few years. Now that hundreds and thousands of women are preparing to vote intelligently, while tens of thousands of Boy Scouts and Camp Fire Girls are informing themselves upon questions of government, it is coming to be regarded as more and more manifestly the duty of every man and woman, to know the essential provisions of our Constitution.

THE CONSTITUTION AND THE WORKINGMAN

Especially should every workingman and woman become familiar with the Constitution. It is the workingman's best friend. It not only protects him in his personal freedom and his political rights, it assures to him the full and regular payment of the wages he contracts to work for. It protects his savings. It guards his home. It respects and protects his family life. Courts and the judges by some of whose decisions he sometimes has felt himself aggrieved, are nevertheless the workingman's best friends. It is by

the keen sense of justice and the trained intelligence of our judges, that the workingman is protected against the ruinous effects of misguided attempts at legislation which would (if it could) set aside or overthrow the safeguards with which our fundamental law has surrounded us. It is the careful and just administration of our government, guarded and insured by our courts, that keeps our national life secure.

THE CONSTITUTION AND THE COURTS

The power intrusted by the Constitution to our Supreme Court, to pass judgment upon the constitutionality of any state or federal law which in a definite case involving the application of the law, is duly brought before the court, and to declare unconstitutional any provisions in such a law which would ignore or violate any provision of the Constitution—is the crowning glory of our American system. This has been and still is the surest safeguard for the liberties and the rights of each one of us, citizens of the United States. The Constitution lays down the essential principles and prescribes the form and functions of our government. It is, as it should be, comparatively brief. It deals only with essential provisions which are universally applicable throughout the extent of the nation and for long periods of time. It is not meant to be easily altered. The Constitution is created and adopted by the people, and is the supreme conditioning law of our national state. The manifold enactments of Congress and of the state legislatures in their sphere, are valid only when they conform to the Constitution—our Supreme National Law. Of course it is essential to our system that we have a Supreme Court to decide whether enactments of these various lawmaking bodies are in harmony with the principles and the provisions of the Constitution.

Study the Constitution. See how the law and the courts protect you. Let no demagogue persuade you to advocate changes which would make it impossible for our courts to have strong and fearless judges to continue to defend us

in our constitutional rights. That any man who has succeeded in securing an election to the Senate of the United States could so utterly fail to understand the essential spirit of the Constitution he has sworn to support, as to be capable of proposing a law to impeach and remove any judge who should pronounce a bill passed by Congress "unconstitutional," is one of the wonders of American politics!

THE GLORY AND THE RESPONSIBILITY OF CITIZENSHIP

It is no small thing to be a citizen of the world's greatest Republic! It is a great responsibility to be a voter here. You want to know your privileges and your power as an American voter; and you want to know your duties and responsibilities, as well as your rights, under the Constitution. Think them out, for yourself, as you read and study the clear provisions of our great fundamental law. We cannot all be learned constitutional lawyers. But every American citizen, man or woman, young or old, may have and should have an intelligent idea of our form of representative government "of the people, by the people, for the people." Every one of us should know and should value the security it guarantees to each of us in guarding for us our enjoyment of "life, liberty, and the pursuit of happiness."

Let each one of us have a copy of our title-deed to our rights as American citizens. Let us read, think about, and discuss with our friends, the Constitution which is the charter of our National Life. Study its principles. Know it! Then we shall love it! Do not fancy that you can play well the great game of American life, without knowing the Rules of the Game! One flag, one country, one nation! Let us love our own country, honor our own flag! Not for us the red flag of a false and anarchistic internationalism; but the Red, White and Blue for which our fathers and brothers and sons have died; under which, please God, we will live, and for which if need be we will die—faithful to the brotherhood of the whole human race, by being first of all faithful to our own home, our own family, our own community, and to the land we love!

Let us live, as the inscription on the monument to the Three Hundred Spartans at Thermopylae says they died. They willingly, valiantly, and with the most fearless and confident alacrity, gave up their lives in the narrow pass, three hundred of them, to hold back the tens of thousands of Asiatics who were threatening to overwhelm the liberty and civilization of Europe. Many of our sons and brothers have in these last two years died willingly in a like struggle to defend liberty and the reign of law against tyranny and brute force. The epitaph on the monument of the deathless Three Hundred who made the stand at Thermopylae which saved their native land, all Europe, and our own Western civilization, was these words: "Stranger, go tell the Lacedemonians that we lie here, *obedient to their laws!*"

So let us live for Freedom and Good Government—willingly "obedient to our laws."

THE CONSTITUTION OF THE UNITED STATES

PREAMBLE.

Objects for which the Constitution was established.

ARTICLE I.

The Legislative Power.

- Section 1. The Congress of the United States.
- Section 2. The House of Representatives.
- Section 3. The Senate.
- Section 4. Election of Senators and Representatives—Meetings of Congress.
- Section 5. Powers and Duties of Each House—Journals—Adjournments.
- Section 6. Compensation of Senators and Representatives—Privilege from Arrest—Freedom of Speech and Debate—Holding Other Offices.
- Section 7. Process of Legislation—President's Veto Power.
- Section 8. Enumerated Powers of Congress.
- Section 9. Prohibitions and Limitations on Powers of Congress.
- Section 10. Restrictions on Powers of the States.

ARTICLE II.

The Executive Power.

- Section 1. The President—Term of Office—Election—Qualifications—Succession of Vice President—Compensation—Oath of Office.
- Section 2. Enumerated Powers and Duties of President.
- Section 3. Relations of President with Congress—Diplomatic Business—Execution of the Laws.
- Section 4. Impeachment of President and Other Officers.

ARTICLE III.

The Judicial Power.

- Section 1. Supreme Court of the United States and Other Federal Courts—Tenure of Judges—Compensation.
- Section 2. Jurisdiction of United States Courts—Original and Appellate Jurisdiction of Supreme Court—Trial by Jury—Place of Trial.
- Section 3. Treason against the United States—Definition and Punishment.

ARTICLE IV.

Interstate Relations.

- Section 1. Full Faith and Credit to Public Acts, Records, and Proceedings.
Section 2. Interstate Privileges and Immunities of Citizenship—Extradition—Fugitive Slaves.
Section 3. Admission and Formation of New States—Public Lands.
Section 4. Guaranty of Republican Government—Protection of States against Invasion and Domestic Violence.

ARTICLE V.

Amendment of the Constitution.

Proposal of Amendments by Congress—Convention for Proposing Amendments—Ratification of Amendments.

ARTICLE VI.

Miscellaneous Provisions.

Validity of the Public Debt—The Constitution the Supreme Law of the Land—Oath of Public Officers to Support the Constitution—No Religious Test Required.

ARTICLE VII.

Ratification and Establishment of the Constitution

CONSTITUTION OF THE UNITED STATES

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2, The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

*[Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

*The clause included in brackets is amended by the 14th amendment, 2d section, p. 41.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under

the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare

of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance

of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Con-

gress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II.

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

[“The electors shall meet in their respective States, and vote by ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each ; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed ; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President ; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote ; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice-President.”]

(This clause has been superseded by the twelfth amendment, p. 39.)

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes ; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President ; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of

such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Con-

troversies to which the United States shall be a Party ;—to Controversies between two or more States ;—between a State and Citizens of another State ;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury ; and such Trial shall be held in the State where the said Crimes shall have been committed ; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.¹

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or By Conventions in three fourths thereof,

as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII.¹

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven, and of the Independence of the United States of America the Twelfth.

AMENDMENTS TO THE CONSTITUTION.

- I. Religious Freedom—Freedom of Speech and Press—Right of Assembly and Petition.
- II. The Militia—Right to Keep and Bear Arms.
- III. Quartering of Soldiers.
- IV. Security Against Unreasonable Searches and Seizures—Search Warrants.
- V. Right to Indictment by Grand Jury—Twice in Jeopardy—Privilege against Self-Crimination—Protection of Life, Liberty, and Property by Due Process of Law—Taking Private Property for Public Use.
- VI. Rights of Accused in Criminal Trials.
- VII. Trial by Jury in Civil Cases.
- VIII. Prohibition of Excessive Bail or Fines, and Cruel and Unusual Punishments.
- IX. Reservation of Rights of the People.
- X. Powers Not Delegated are Reserved to the States or the People.
- XI. Exemption of States from Suits by Citizens.
- XII. Manner of Electing President and Vice President.
- XIII. Abolition of Slavery and Involuntary Servitude.
- XIV. Definition of United States Citizenship—Privileges and Immunities of Citizens not to be Abridged by States—Guaranty of Due Process of Law—Equal Protection of the Laws—Apportionment of Representatives in Congress—Disqualification for Office by Insurrection or Rebellion—Removal of Disabilities—Validity of the Public Debt.
- XV. Right of Suffrage not to be Denied on Account of Race, Color, or Previous Servitude.
- XVI. Levy of Income Tax Without Apportionment.
- XVII. Popular Election of Senators.
- XVIII. National Prohibition.

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.

[ARTICLE I.]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

[ARTICLE II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

[ARTICLE III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

[ARTICLE IV.]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

[ARTICLE V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

[ARTICLE VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascer-

tained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

[ARTICLE VII.]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

[ARTICLE VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[ARTICLE IX.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

[ARTICLE X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

[ARTICLE XI.]

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

[ARTICLE XII.]

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of

whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

[ARTICLE XIII.]

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

[ARTICLE XIV.]

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United

States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

[ARTICLE XV.]

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

[ARTICLE XVI.]

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

[ARTICLE XVII.]

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The

electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

[ARTICLE XVIII.]

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECTION 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

BOOKS RECOMMENDED FOR READING AND REFERENCE.

Story, Commentaries on the Constitution. (A comprehensive exposition of the Constitution, not only on its technical and legal side, but from the point of view of history and for its popular understanding, by Joseph Story, a former Justice of the Supreme Court.)

The Federalist. (A series of papers, written in explanation and defense of the Constitution, at the time when it was before the States for adoption, by Alexander Hamilton and James Madison.)

Madison's Journal of the Convention. (Edited by Gaillard Hunt.) (A contemporary record of the doings and debates of the Convention which framed the Constitution, by James Madison, called the "Father of the Constitution.")

Farrand, The Framing of the Constitution. (A popular account of the formation of the Constitution, by Professor Max Farrand of Yale.)

Bartlett, Handy Book of American Government. (A brief and popular description of the institutions and operations of the government of the United States, following the order of the Constitution.)

Hill, The People's Government. (An exposition of the system of constitutional government in the United States, with special reference to the fundamental rights of individuals, the supremacy of law, and the relation of the citizen to the state, By David Jayne Hill.)

Hill, Americanism: What It Is. (An account of those principles and features of our system of government which make "Americanism" a distinctive creed and institution, with a study of the rights, duties and responsibilities of American citizenship. By David Jayne Hill.)

Baker, Fundamental Law of American Constitutions. (A series of lectures, discussing the principles and practice of American constitutional government in the light of history and the decisions of the courts. In three volumes.)

Bryce, The American Commonwealth. (A comprehensive but popular description of the organization and working of government in the United States and the States, and of American political institutions, by James Bryce, now Viscount Bryce, former British ambassador to the United States.)

Lieber, Civil Liberty and Self Government. (An account of the origins and establishment of the principles of civil and political liberty under constitutional government, with a valuable appendix of original documents. By Francis Lieber.)

Lodge, The Democracy of the Constitution. (Essays and addresses on important aspects of the Constitution. By United States Senator Henry Cabot Lodge.)

Sutherland, Constitutional Power and World Affairs. (Lectures on the extent and limitation of the powers conferred by the Constitution as affecting war and the making of treaties. By former United States Senator George Sutherland.)

Black, The Relation of the Executive Power to Legislation. (An essay on the growth and development of the executive power in its relation to the initiation and enactment of the laws. By Henry Campbell Black, Editor of The Constitutional Review.)

The Constitutional Review. (A quarterly magazine, advocating the maintenance of constitutional government and recording its progress at home and abroad.)

PAMPHLETS.

Relating to the Constitution or the principles of constitutional government, which will be furnished on request by THE NATIONAL ASSOCIATION FOR CONSTITUTIONAL GOVERNMENT, 716 Colorado Building, Washington, D. C.

"The Constitution and Its Makers," by Senator Henry Cabot Lodge.

"Representative Government and the Common Law," by Emmet O'Neal, former Governor of Alabama.

"A Defense of the Constitution," by David Jayne Hill.

"How the Constitution Saved the Revolution," by Gaillard Hunt.

"What the Constitution Does for the Citizen," by Henry A. Wise Wood.

"The Enemy Within Our Gates; Bolshevism's Assault upon American Government," by Henry Campbell Black.



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To inculcate an intelligent and genuine respect for the organic law of the land.

To bring the minds of the people to a realization of the vital necessity of preserving it unimpaired, and particularly in respect to its broad limitations upon the legislative power and its guaranties of the fundamental rights of life, liberty and property.

To oppose attempted changes in it which tend to destroy or impair the efficacy of those guaranties, or which are not founded upon the mature consideration and deliberate choice of the people as a whole.

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